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7265 7590 10/12/2007 MICHAELSON & ASSOCIATES P.O. BOX 8489 RED BANK, NJ 07701			EXAMINER PATEL, ASHOKKUMAR B	
			ART UNIT 2154	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/523,879

Applicant(s)

KOCK ET AL.

Examiner

Ashok B. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 1-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-26 are subject to examination. Claims 1-13 are cancelled.

Response to Arguments

2. Applicant's arguments filed 07/19/2007 have been fully considered but they are not persuasive for the following reasons:

Applicant's argument:

Rejections Under 35 U.S.C. § 112

Applicant's argument:

"Support for this claim recitation can be found at least at page 3, lines 14-15 of the application as originally filed."

Examiner's response:

Please note that "It is the claims that define the claimed invention, and it is claims, not specifications that are anticipated or unpatentable. *Constant v. Advanced Micro-Devices Inc.*, 7 USPQ2d 1064."

Rejections Under 35 U.S.C. § 102(b)

"The Applicants respectfully submit that *Adler* does not disclose a first retrieval phase wherein a flag indicative of any remaining text characters of the body and/or any attachments is transmitted to the terminal device. The indication for the user in *Adler* that the end of the message has been reached or that is more text is available is transmitted in a second retrieval phase after the user has selected the "more" command (see Fig. 6,680-690). Consequently, the method in *Adler* does not provide - in advance - information regarding the remaining parts of the message, and *Adler* does not anticipate.

new claims 14, 23 and 25. Accordingly, new claims 14, 23 and 25 and their respective dependent claims are novel and patentable in view of *Adler*."

Examiner's response:

Adler teaches at col. 2, line 50-62, "Referring to FIG. 3, an example of an electronic mail (e-mail) message is shown. The message comprises a header 301 and a body or text 302. The message is also shown as having an attachment 303, for example a picture. Within the header there is a sender field 310, a date and time field 311 and a subject field 312. There is also an address field illustrated here as field 313. A further field is typically available (but not shown in FIG. 3), this being a cc field, indicating other recipients of the message. The attachment 303 can be included within the body of the message, or there may be an information field in the header 301, indicating the existence of the attachment and (optionally) the nature of the attachment."

Adler further teaches at col. 4, line 5-14, "If a user of a terminal, e.g., terminal 431, wishes to see a particular message in his account, he can select that message and the server 205 will deliver the entire message, including the entire header and the entire text and all attachments from the database 430 to the terminal 431. Referring now to the radio device 200, this device is able to act in almost the same manner as a terminal 431, but with certain differences in function and user interaction as described below."

Adler teaches at col. 6, line 50-64, "Referring to mode 530, this mode is activated by pressing 503 and brings up screen 580 which allows the user of the radio device 200 to define a set of rules (to be stored in database 430) defining the messages or forms of messages or types of messages that the user of the radio device 200 wishes to receive.

Thus, for example, selection buttons 583 can call for messages which contain certain words or messages which omit certain words. Progressing from screen 580, button 581 can be pressed closing the program to proceed to screen 585, the agent summary screen. Screen 585 summarizes the messages that are to be sent from the server 205 to the radio device 200. **For example, messages can be selected identified by sender or by subject key word or by urgency flag or by body (text)."**

Adler teaches at col. 5, line 50-61, "By activating button 551 (using keypad 410 or using a stylus) the process proceeds to screen 560. Screen 560 presents the sender, date of receipt and subject of the message and also presents a portion of the text of the message. The portion 561 of the text is only a few lines of text. The size of the portion 561 is either predetermined (e.g., selected to fit within the display 408) or is selectable by the user defining a preference for the length of the message portion. Other arrangements can be devised for limiting the size of the message portion 561, for example, the message portion can be terminated at a given character or set of characters."

Thus, Adler teaches the server transmitting to the terminal device in a first retrieval phase the header, the first N characters of the body to the terminal device, where N is a predetermined integer (col. 5, line 50-61, "Screen 560 presents the sender, date of receipt and subject of the message and also presents a portion of the text of the message. The portion 561 of the text is only a few lines of text. The size of the portion 561 is either predetermined (e.g., selected to fit within the display 408) or is selectable by the user defining a preference for the length of the message portion.), while holding

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back any attachments (col. 2, line 50-62, "The attachment 303 can be included within the body of the message, or there may be an information field in the header 301, indicating the existence of the attachment and (optionally) the nature of the attachment."), and a flag indicative of any remaining characters of the body and/or any attachments (col. 4, line 63-col. 5, line 2, "Preferably, the first few lines of text are all that is sent upon receipt of the view command. In this manner, the network 202 is not tied up and overused by having to send the entire text 302 of the e-mail message. Similarly, the memory 406 of the device 200 (which is very limited) is not congested with lengthy e-mail message text and with attachments. A limit of 300 characters is a suitable limit." (col. 5, line 3-9, "If the user 200 needs more of the message, a further button (or a repeat of the previous button) can be pressed, causing another command (e.g., the command "more") to be sent to the server 205, causing the next few lines of text to be sent to the radio device 200. In this way, a user can continue receiving further portions of a message until he is satisfied that he has understood enough of the message for his purposes.", col. 5, line 48-63, "The information is presented in the form of rows illustrating, for each message, the sender, the date of receipt and a portion of the subject field. By activating button 551 (using keypad 410 or using a stylus) the process proceeds to screen 560. Screen 560 presents the sender, date of receipt and subject of the message and also presents a portion of the text of the message. The portion 561 of the text is only a few lines of text. The size of the portion 561 is either predetermined (e.g., selected to fit within the display 408) or is selectable by the user defining a preference for the length of the message portion. Other arrangements can

be devised for limiting the size of the message portion 561, for example, the message portion can be terminated at a given character or set of characters. As an example, the message can be terminated at the occurrence of the first or second carriage return symbol.”), said flag allowing the user of the terminal device to decide to retrieve the remaining parts of the message in a second retrieval phase or several subsequent retrieval phases.(col. 5, line 48-63, “for example, the message portion can be terminated at a given character or set of characters. As an example, the message can be terminated at the occurrence of the first or second carriage return symbol.”).

The argument presented above, “a first retrieval phase wherein a flag indicative of any remaining text characters of the body and/or any attachments is transmitted to the terminal device.” is NOT what the claim limitation, in fact, recites.

The claim recites “the server transmitting to the terminal device in a first retrieval phase the header, the first N characters of the body to the terminal device, where N is a predetermined integer, while holding back any attachments, and a flag indicative of any remaining characters of the body and/or any attachments said flag allowing the user of the terminal device to decide to retrieve the remaining parts of the message in a second retrieval phase or several subsequent retrieval phases.”, that is exactly what Adler teaches as shown above.

Applicant’s argument:

Rejections Under 35 U.S.C. § 103

"Accordingly, Nakaoka does not teach, show or suggest the phased retrieval of e-mail messages that is missing in Adler."

Examiner's response:

Nakaoka teaches transferring of the message at Figs14-20, element 212, and at para. [0061] In the present embodiment, an address "nakaoka@keitai.ne.jp" of the mobile phone 8 is appointed as a transfer address. [0062] Further, the mail transfer command section 17 confirms whether or not an attached file is present (155) and confirms whether or not a deletion of an attached file is set (156). When set, a command for deleting the attached file is issued to the mail transmission section 12 of the mail server device 1 (156). Confirmation is also made whether or not the maximum number of transfer characters is set (17). When set, a command for limiting the maximum number of transfer characters is issued to the mail transmission section 12 of the mail server device 1. [0063] In the present embodiment, there is a issued command for deleting an attached file and limiting the maximum number of transfer characters 2000 bytes. [0064] Then, the mail transfer command section 17 issues to the mail transmission section 12 of the mail server device 1 a command for transferring E-mail received by the mobile phone 8 (159), and E-mail is preserved in the mail memory section 19 of the mail server device 9 without inconvenience.[0065] Further, the mail transfer command section 17 also confirms whether or not the deletion of mail after transfer has been set (180). When set, the command section 17 issues a command for deleting the transfer mail from the mail memory section 11 of the mail server device 1. [0066] In the present embodiment, since the setting for not deleting the mail after the

transfer is made, the mail remains in the mail memory section 11 of the mail server device 1, and the mail can be read out of the client's device 2 even after the transfer. [0067] As described above, according to the E-mail transfer method of the present invention, when the described matter of the body of E-mail coincides with the setting conditions, E-mail can be transferred to a transfer address suitably appointed. Therefore, E-mail received by the client device of a company can be transferred to the client device at a destination or to the client device at home according to the described contents of the body, and the received E-mail can be processed efficiently. [0068] Further, since the attached file of E-mail can be deleted, and the number of transfer characters can be limited, E-mail received by the client's device of a company can be transferred to the mobile phone without inconvenience as it is, and the urgent information or the necessary information described in the body of E-mail received can be transmitted to business staff outside promptly." (wherein the server (2) retains the message if any remaining text or any attachments are not yet transmitted.)

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of Adler and Nakaoka in front of him at the time of invention was made, to combine their teachings since both of these references teach the methodology on how to transfer or retrieve the messages on the mobile handset having limited capacity of storage as well as display, and Nakaoka provides additional mechanism to set the user preferences on the mail server on how to handle the transfer of the messages and attachments, such as in a user preferred number of characters, what to do with the messages attachments, whether to keep or delete, after it has been transferred, in fact,

supplementing the teachings of Adler and providing the mechanisms and methodology on how to implement the user options that Adler is lacking. When the messages and attachments are deleted upon the transfer, it is obvious it saves lot of storage space which is an important resource on the business server.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 14-16 and 22-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to claim 14,

Claim recites in line 11 "and/or" The use of slashes symbol between descriptive elements in the claims renders the scope and meaning of the claims unclear, as slashes could be construed to mean "and", "or" or both "and" and "or".

For the purpose of this Office Action, "or" is being used.

Referring to claim 15,

Claim 15 is a dependent claim of claim 14. Claim 14 recites " a flag" indicative of any remaining characters of the body and/or any attachments" then claim 15 is unclear as to the flag comprising "a first flag indicative of any remaining characters and a second flag indicative of any attachments

Referring to claim 16,

Claim recites in line 5 "and/or" The use of slashes symbol between descriptive elements in the claims renders the scope and meaning of the claims unclear, as slashes could be construed to mean "and", "or" or both "and" and "or".

For the purpose of this Office Action, "or" is being used.

Claim recites in line 4 " a further P characters". Claim is unclear as to providing an explanation on "P" characters".

For the purpose of this office Action, these characters are referred to as being the same as that of "the characters of the body."

Referring to claim 22,

Claim 22 is a claim to a system for retrieving electronic messages in accordance with the method of claim 14. Therefore claim 22 is rejected for the reasons set forth for claim 14.

Referring to claim 23,

Claim 23 is a claim to a system for retrieving electronic messages in accordance with the method of claim 15. Therefore claim 23 is rejected for the reasons set forth for claim 15.

Referring to claim 24,

Claim 24 is a claim to a system for retrieving electronic messages in accordance with the method of claim 16. Therefore claim 24 is rejected for the reasons set forth for claim 16.

Referring to claim 25,

Claim 25 is a claim to terminal device for use in the system of 22, the terminal device being capable of: or retrieving electronic messages in accordance with the method of claims 14 and 16. Therefore claim 25 is rejected for the reasons set forth for claims 14 and 16.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 14-17 and 21-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Adler et al. (hereinafter Adler) (US 6, 157, 630).

Referring to claim 14,

Adler teaches a method of retrieving an electronic message (Abstract) from a server (Fig. 4, element 205, col. 3, line 40-41, "Referring to the host server 205, there is an e-mail database 430, forming part of the host server 205 and there are computer terminals 431, 432 and 433 connected to the server 205 via a local area network 435. The terminals 431 to 433 and the local area network 435 are optional, but are included to assist in an explanation of the invention.") using a terminal device (1) (Fig. 4, element 200, "1"), the message comprising a header and a body capable of containing characters (Fig. 3), the method comprising the steps of:

establishing a communications link between the server and the terminal device (col. 4., line 26-43, "By the way of explanation of paging network addresses, each

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pager or other radio device 200 registered on the public radio network 202 has an address and a corresponding account in a database 420, associated with public network server 203. Account table 450 maintains a table of correlations between e-mail account numbers or identifiers in database 430 with public network account numbers in database 420. In this manner, when a message is received from a given radio device 200, server 205 receives the message with an identification indicating the radio device from which it is received and is able to correlate that radio device with the appropriate e-mail account number. Similarly, when an e-mail is addressed to a particular account number and needs to be sent to the user of that account at his radio device 200, the appropriate address of the radio device is identified in account table 450 and the message is sent to the correct radio device."),

the server transmitting to the terminal device in a first retrieval phase the header and the first N characters of the body to the terminal device, where N is a predetermined integer (col. 4, line 51-62, "The headers are short, giving merely the sender of a message (field 310 of FIG. 3) the date or time (field 311) and the subject (field 312) or a portion of the subject field. Rules are set up by the individual user in database 430 defining how many and what form of header information the user wishes to receiver in viewing his in-box. For example, the user can set up a rule which provides that only the last 10 messages are shown or he can set up a rule which provides that only messages received in the last 24 hours are shown. For each message, a predetermined limit is set for the amount of text from the body of the message that is sent to the radio device 200."), while holding back any attachments

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(col. 4, line 63-col. 5, line 2, "Preferably, the first few lines of text are all that is sent upon receipt of the view command. In this manner, the network 202 is not tied up and overused by having to send the entire text 302 of the e-mail message. Similarly, the memory 406 of the device 200 (which is very limited) is not congested with lengthy e-mail message text and with attachments. A limit of 300 characters is a suitable limit."), and a flag indicative of any remaining characters of the body and/or any attachments, said flag allowing the user of the terminal device to decide to retrieve the remaining parts of the message in a second retrieval phase or several subsequent retrieval phases (col. 5, line 3-9, "If the user 200 needs more of the message, a further button (or a repeat of the previous button) can be pressed, causing another command (e.g., the command "more") to be sent to the server 205, causing the next few lines of text to be sent to the radio device 200. In this way, a user can continue receiving further portions of a message until he is satisfied that he has understood enough of the message for his purposes.", col. 5, line 48-63, "The information is presented in the form of rows illustrating, for each message, the sender, the date of receipt and a portion of the subject field. By activating button 551 (using keypad 410 or using a stylus) the process proceeds to screen 560. Screen 560 presents the sender, date of receipt and subject of the message and also presents a portion of the text of the message. The portion 561 of the text is only a few lines of text. The size of the portion 561 is either predetermined (e.g., selected to fit within the display 408) or is selectable by the user defining a preference for the length of the message portion. Other arrangements can be devised for limiting the size of the message portion 561, for example, the message portion can

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be terminated at a given character or set of characters. As an example, the message can be terminated at the occurrence of the first or second carriage return symbol.", col. 2, line 56-62, "A further field is typically available (but not shown in FIG. 3), this being a cc field, indicating other recipients of the message. The attachment 303 can be included within the body of the message, or there may be an information field in the header 301, indicating the existence of the attachment and (optionally) the nature of the attachment.")

Referring to claim 15,

Adler teaches the method according to claim 14, wherein the flag comprises a first flag indicative of any remaining characters and a second flag indicative of any attachments (col. 5, line 3-9, "If the user 200 needs more of the message, a further button (or a repeat of the previous button) can be pressed, causing another command (e.g., the command "more") to be sent to the server 205, causing the next few lines of text to be sent to the radio device 200. In this way, a user can continue receiving further portions of a message until he is satisfied that he has understood enough of the message for his purposes.", col. 5, line 48-63, "The information is presented in the form of rows illustrating, for each message, the sender, the date of receipt and a portion of the subject field. By activating button 551 (using keypad 410 or using a stylus) the process proceeds to screen 560. Screen 560 presents the sender, date of receipt and subject of the message and also presents a portion of the text of the message. The portion 561 of the text is only a few lines of text. The size of the portion 561 is either predetermined (e.g., selected to fit within the display 408) or is selectable by the user

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defining a preference for the length of the message portion. Other arrangements can be devised for limiting the size of the message portion 561, for example, the message portion can be terminated at a given character or set of characters. As an example, the message can be terminated at the occurrence of the first or second carriage return symbol.", col. 2, line 56-62, "A further field is typically available (but not shown in FIG. 3), this being a cc field, indicating other recipients of the message. The attachment 303 can be included within the body of the message, or there may be an information field in the header 301, indicating the existence of the attachment and (optionally) the nature of the attachment.").

Referring to claim 16,

Adler teaches the method according to claim 14, comprising the further step of:

the terminal device requesting, in response to the flag , the server to transmit a further P characters and/or a selected attachment , where in P is an integer number (col. 5, line 3-9, "If the user 200 needs more of the message, a further button (or a repeat of the previous button) can be pressed, causing another command (e.g., the command "more") to be sent to the server 205, causing the next few lines of text to be sent to the radio device 200. In this way, a user can continue receiving further portions of a message until he is satisfied that he has understood enough of the message for his purposes.", col. 5, line 48-63, "The information is presented in the form of rows illustrating, for each message, the sender, the date of receipt and a portion of the subject field. By activating button 551 (using keypad 410 or using a stylus) the process proceeds to screen 560. Screen 560 presents the sender, date of receipt and subject of

the message and also presents a portion of the text of the message. The portion 561 of the text is only a few lines of text. The size of the portion 561 is either predetermined (e.g., selected to fit within the display 408) or is selectable by the user defining a preference for the length of the message portion. Other arrangements can be devised for limiting the size of the message portion 561, for example, the message portion can be terminated at a given character or set of characters. As an example, the message can be terminated at the occurrence of the first or second carriage return symbol.", col. 2, line 56-62, "A further field is typically available (but not shown in FIG. 3), this being a cc field, indicating other recipients of the message. The attachment 303 can be included within the body of the message, or there may be an information field in the header 301, indicating the existence of the attachment and (optionally) the nature of the attachment.").

Referring to claim 17,

Adler teaches the method according to claim 14, wherein the integer N is determined by the server (col. 5, line 48-63, "The information is presented in the form of rows illustrating, for each message, the sender, the date of receipt and a portion of the subject field. By activating button 551 (using keypad 410 or using a stylus) the process proceeds to screen 560. Screen 560 presents the sender, date of receipt and subject of the message and also presents a portion of the text of the message. The portion 561 of the text is only a few lines of text. The size of the portion 561 is either predetermined (e.g., selected to fit within the display 408) or is selectable by the user defining a preference for the length of the message portion. Other arrangements can be devised

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for limiting the size of the message portion 561, for example, the message portion can be terminated at a given character or set of characters. As an example, the message can be terminated at the occurrence of the first or second carriage return symbol.”)

Referring to claim 21,

Adler teaches the method according to 14, wherein the terminal device (1) is a mobile handset or a PDA (Fig. 4, element 200, “col. 2, line 32-34, “The radio device 200 may be a two-way pager or a portable computer with radio capability, for example, a portable computer having a modem.”)

Referring to claim 22,

Claim 22 is a claim to a system for retrieving electronic messages in accordance with the method of claim 14. Therefore claim 22 is rejected for the reasons set forth for claim 14.

Referring to claim 23,

Claim 23 is a claim to a system for retrieving electronic messages in accordance with the method of claim 15. Therefore claim 23 is rejected for the reasons set forth for claim 15.

Referring to claim 24,

Claim 24 is a claim to a system for retrieving electronic messages in accordance with the method of claim 16. Therefore claim 24 is rejected for the reasons set forth for claim 16.

Referring to claim 25,

Claim 25 is a claim to terminal device for use in the system of 22, the terminal device being capable of: or retrieving electronic messages in accordance with the method of claims 14 and 16. Therefore claim 22 is rejected for the reasons set forth for claims 14 and 16.

Referring to claim 26,

Claim 26 is a claim to terminal device of claim 25, the terminal device being capable of: or retrieving electronic messages in accordance with the method of claim 21. Therefore claim 26 is rejected for the reasons set forth for claim 21.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Adler et al. (hereinafter Adler) (US 6, 157, 630) in view of Nakaoka (US 2001/0007992 A1).

Referring to claim 18,

Keeping in mind the teachings of Adler as stated above, Adler teaches at col. 5, line 48-63, "The information is presented in the form of rows illustrating, for each message, the sender, the date of receipt and a portion of the subject field. By activating button 551 (using keypad 410 or using a stylus) the process proceeds to screen 560.

Screen 560 presents the sender, date of receipt and subject of the message and also presents a portion of the text of the message. The portion 561 of the text is only a few lines of text. The size of the portion 561 is either predetermined (e.g., selected to fit within the display 408) or is selectable by the user defining a preference for the length of the message portion. Other arrangements can be devised for limiting the size of the message portion 561, for example, the message portion can be terminated at a given character or set of characters. As an example, the message can be terminated at the occurrence of the first or second carriage return symbol.", Adler fails to teach the method according to claim 4, wherein the server erases the message after transmitting if there is no remaining text and no attachments.

Nakaoka teaches transferring of the message at Figs. 14-20, element 212, and at para. [0061] In the present embodiment, an address "nakaoka@keitai.ne.jp" of the mobile phone 8 is appointed as a transfer address. {0062} Further, the mail transfer command section 17 confirms whether or not an attached file is present (155) and confirms whether or not a deletion of an attached file is set (156). When set, a command for deleting the attached file is issued to the mail transmission section 12 of the mail server device 1 (156). Confirmation is also made whether or not the maximum number of transfer characters is set (17). When set, a command for limiting the maximum number of transfer characters is issued to the mail transmission section 12 of the mail server device 1. [0063] In the present embodiment, there is a issued command for deleting an attached file and limiting the maximum number of transfer characters 2000 bytes. [0064] Then, the mail transfer command section 17 issues to the mail

transmission section 12 of the mail server device 1 a command for transferring E-mail received by the mobile phone 8 (159), and E-mail is preserved in the mail memory section 19 of the mail server device 9 without inconvenience.[0065] Further, the mail transfer command section 17 also confirms whether or not the deletion of mail after transfer has been set (180). When set, the command section 17 issues a command for deleting the transfer mail from the mail memory section 11 of the mail server device 1. [0066] In the present embodiment, since the setting for not deleting the mail after the transfer is made, the mail remains in the mail memory section 11 of the mail server device 1, and the mail can be read out of the client's device 2 even after the transfer. [0067] As described above, according to the E-mail transfer method of the present invention, when the described matter of the body of E-mail coincides with the setting conditions, E-mail can be transferred to a transfer address suitably appointed. Therefore, E-mail received by the client device of a company can be transferred to the client device at a destination or to the client device at home according to the described contents of the body, and the received E-mail can be processed efficiently. [0068] Further, since the attached file of E-mail can be deleted, and the number of transfer characters can be limited, E-mail received by the client's device of a company can be transferred to the mobile phone without inconvenience as it is, and the urgent information or the necessary information described in the body of E-mail received can be transmitted to business staff outside promptly." (wherein the server erases the message after transmitting if there is no remaining text and no attachments.)

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of Adler and Nakaoka in front of him at the time of invention was made, to combine their teachings since both of these references teach the methodology on how to transfer or retrieve the messages on the mobile handset having limited capacity of storage as well as display, and Nakaoka provides additional mechanism to set the user preferences on the mail server on how to handle the transfer of the messages and attachments, such as in a user preferred number of characters, what to do with the messages attachments, whether to keep or delete, after it has been transferred, in fact, supplementing the teachings of Adler and providing the mechanisms and methodology on how to implement the user options that Adler is lacking. When the messages and attachments are deleted upon the transfer, it is obvious it saves lot of storage space which is an important resource on the business server.

Referring to claim 19,

Keeping in mind the teachings of Adler as stated above for claim 14, Adler fails to teach the method according to claim 14, wherein the server retains the message if any remaining text or any attachments are not yet transmitted.

Nakaoka teaches transferring of the message at Figs14-20, element 212, and at para. [0061] In the present embodiment, an address "nakaoka@keitai.ne.jp" of the mobile phone 8 is appointed as a transfer address. {0062] Further, the mail transfer command section 17 confirms whether or not an attached file is present (155) and confirms whether or not a deletion of an attached file is set (156). When set, a command for deleting the attached file is issued to the mail transmission section 12 of

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the mail server device 1 (156). Confirmation is also made whether or not the maximum number of transfer characters is set (17). When set, a command for limiting the maximum number of transfer characters is issued to the mail transmission section 12 of the mail server device 1. [0063] In the present embodiment, there is a issued command for deleting an attached file and limiting the maximum number of transfer characters 2000 bytes. [0064] Then, the mail transfer command section 17 issues to the mail transmission section 12 of the mail server device 1 a command for transferring E-mail received by the mobile phone 8 (159), and E-mail is preserved in the mail memory section 19 of the mail server device 9 without inconvenience.[0065] Further, the mail transfer command section 17 also confirms whether or not the deletion of mail after transfer has been set (180). When set, the command section 17 issues a command for deleting the transfer mail from the mail memory section 11 of the mail server device 1. [0066] In the present embodiment, since the setting for not deleting the mail after the transfer is made, the mail remains in the mail memory section 11 of the mail server device 1, and the mail can be read out of the client's device 2 even after the transfer. [0067] As described above, according to the E-mail transfer method of the present invention, when the described matter of the body of E-mail coincides with the setting conditions, E-mail can be transferred to a transfer address suitably appointed. Therefore, E-mail received by the client device of a company can be transferred to the client device at a destination or to the client device at home according to the described contents of the body, and the received E-mail can be processed efficiently. [0068] Further, since the attached file of E-mail can be deleted, and the number of transfer

characters can be limited, E-mail received by the client's device of a company can be transferred to the mobile phone without inconvenience as it is, and the urgent information or the necessary information described in the body of E-mail received can be transmitted to business staff outside promptly." (wherein the server retains the message if any remaining text or any attachments are not yet transmitted.)

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of Adler and Nakaoka in front of him at the time of invention was made, to combine their teachings since both of these references teach the methodology on how to transfer or retrieve the messages on the mobile handset having limited capacity of storage as well as display, and Nakaoka provides additional mechanism to set the user preferences on the mail server on how to handle the transfer of the messages and attachments, such as in a user preferred number of characters, what to do with the messages attachments, whether to keep or delete, after it has been transferred, in fact, supplementing the teachings of Adler and providing the mechanisms and methodology on how to implement the user options that Adler is lacking. When the messages and attachments are deleted upon the transfer, it is obvious it saves lot of storage space which is an important resource on the business server.

Referring to claim 20,

Adler teaches the method according to 14, wherein the server stores messages in a mailbox having a limited capacity (col. 3, line 40-col. 4, line 10, "The host server 205 has virtual client software 206 which interacts with client software in the radio device 200. The virtual client software includes an account table 450, in which account

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numbers or identifiers in the e-mail server database 430 are correlated with account numbers or identifiers in the public network server 203. Also included in the virtual client software of the host server 205 are a notification agent 455, a message portion handling routine 460 and a command message receiver 465. In operation, users can use the terminals 431 to 433 to generate e-mail messages and send these e-mail messages to each other and to other recipients outside the local area network 435. Where messages are to be sent to other recipients, they can be sent by the server 205 to internet connection 470. A user of a terminal, e.g., terminal 431, can view a page which displays summary information of all his incoming messages and a page summarizing all his outgoing messages. Each of these pages shows the receiver (or sender) of the message, the time and the subject header. This information is presented to the terminal from the e-mail database 430. In the database 430, there is a section allocated to each user. Sections of the database 430 are identified by user account number.(the server (2) stores messages in a mailbox having a limited capacity) Thus, for example, referring to the message of FIG. 3, each of Daddy Bear, Mommy Bear and Baby Bear has an account in the database 430. Each account is identified (in the example given) simply by the account holder's name. These accounts can be referred to as e-mail accounts. If a user of a terminal, e.g., terminal 431, wishes to see a particular message in his account, he can select that message and the server 205 will deliver the entire message, including the entire header and the entire text and all attachments from the database 430 to the terminal 431.", however, Adler fails to teach

wherein a partially transmitted messages is erased if additional mailbox capacity is required.

Nakaoka teaches transferring of the message at Figs14-20, element 212, and at para. [0061] In the present embodiment, an address "nakaoka@keitai.ne.jp" of the mobile phone 8 is appointed as a transfer address. [0062] Further, the mail transfer command section 17 confirms whether or not an attached file is present (155) and confirms whether or not a deletion of an attached file is set (156). When set, a command for deleting the attached file is issued to the mail transmission section 12 of the mail server device 1 (156). Confirmation is also made whether or not the maximum number of transfer characters is set (17). When set, a command for limiting the maximum number of transfer characters is issued to the mail transmission section 12 of the mail server device 1. [0063] In the present embodiment, there is a issued command for deleting an attached file and limiting the maximum number of transfer characters 2000 bytes. [0064] Then, the mail transfer command section 17 issues to the mail transmission section 12 of the mail server device 1 a command for transferring E-mail received by the mobile phone 8 (159), and E-mail is preserved in the mail memory section 19 of the mail server device 9 without inconvenience.[0065] Further, the mail transfer command section 17 also confirms whether or not the deletion of mail after transfer has been set (180). When set, the command section 17 issues a command for deleting the transfer mail from the mail memory section 11 of the mail server device 1. [0066] In the present embodiment, since the setting for not deleting the mail after the transfer is made, the mail remains in the mail memory section 11 of the mail server

device 1, and the mail can be read out of the client's device 2 even after the transfer. [0067] As described above, according to the E-mail transfer method of the present invention, when the described matter of the body of E-mail coincides with the setting conditions, E-mail can be transferred to a transfer address suitably appointed. Therefore, E-mail received by the client device of a company can be transferred to the client device at a destination or to the client device at home according to the described contents of the body, and the received E-mail can be processed efficiently. [0068] Further, since the attached file of E-mail can be deleted, and the number of transfer characters can be limited, E-mail received by the client's device of a company can be transferred to the mobile phone without inconvenience as it is, and the urgent information or the necessary information described in the body of E-mail received can be transmitted to business staff outside promptly." (wherein a partially transmitted messages is erased if additional mailbox capacity is required. Note: Deletion setting results into the byproduct of additional mailbox capacity.)

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of Adler and Nakaoka in front of him at the time of invention was made, to combine their teachings since both of these references teach the methodology on how to transfer or retrieve the messages on the mobile handset having limited capacity of storage as well as display, and Nakaoka provides additional mechanism to set the user preferences on the mail server on how to handle the transfer of the messages and attachments, such as in a user preferred number of characters, what to do with the messages attachments, whether to keep or delete, after it has been transferred, in fact,

supplementing the teachings of Adler and providing the mechanisms and methodology on how to implement the user options that Adler is lacking. When the messages and attachments are deleted upon the transfer, it is obvious it saves lot of storage space which is an important resource on the business server.

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 6:30 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan A. Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

~~NATHAN A. FLYNN~~
~~SUPERVISORY PATENT EXAMINER~~
